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PATENT  
Customer No. 22,852  
Attorney Docket No. 2405,0167

H21  
P-04-01  
S. D. Owen

**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Mads Liendgaard Vigh et al.

)

) Group Art Unit: 1623

Application No.: 09/255,655

)

) Examiner: H. Owens, Jr.

Filed: February 23, 1999

)

For: USE OF D-TAGATOSE AS A  
PREBIOTIC FOOD  
COMPONENT

)

)

)

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 6, 2001 of the Examiner.

The item(s) checked below are appropriate:

1.  A Petition for extension of time to respond to the final rejection was filed on [Date] extending the period for response to [Date].
2.  A Petition for extension of time to further extend the period for response to [Date] is enclosed together with a fee of \$[Fee].
3.  The Appeal Fee of \$310.00 (or \$155.00 if by small entity)  
 is enclosed or  is to be charged to Deposit Account No. 06-0916
4.  A check for \$310.00 to cover the above fees is enclosed.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

LAW OFFICES  
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FARABOW, GARRETT,  
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202-408-4000

09/06/2001 GTEFFERA 00000136 09255655

01 FC:119

310.00 CP

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 5, 2001

By: Charles E. Van Horn  
Charles E. Van Horn  
Reg. No. 40,266

Post Office Address (to  
which correspondence is  
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